MANCHESTER CITY COUNCIL

Planning

Growth & Development

Delegated officer report for planning application

Application no.	138778/FO/2023
Date registered valid:	7 December 2023
Proposal:	Erection of a single storey side extension together with the installation of access ramps to the front and rear of the dwelling
Address:	40 Spinney Road, Manchester, M23 1AB
Ward(s):	Baguley Ward
Applicant:	Mr Joseph Brannan
Agent (if any):	Mr Richard Harris, Manchester City Council
Case officer:	Joshua Lee Tel: 0161 219 2851 Email: joshua.lee@manchester.gov.uk

Recommendation: Approve

Date of recommendation: **01/02/2024**

Application details

Type of application: Full Application Consent

Development type: Minor Other

Date of site visit: 23/01/2024

Standard consultations:

Printed: 20 December 2023 Expired: 13 January 2024

Neighbour notifications

Printed: 20 December 2023 Expired: 13 January 2024

Site notice

No site notice has been produced

Press advert

No press advert had been published

Departure from Development Plan: No

Environmental Statement: Not required

Description of site/building

Proposal relates to a semidetached dwellinghouse on Spinney Road. The property features a tow storey rear extension along with a further single storey outhouse. The property features hardstanding to the front and side for of street vehicle parking and landscaping to the front and rear with a detached garage in the rear garden.

Listed building: Not applicable

Conservation area: Not applicable

Tree Preservation Order: Not applicable



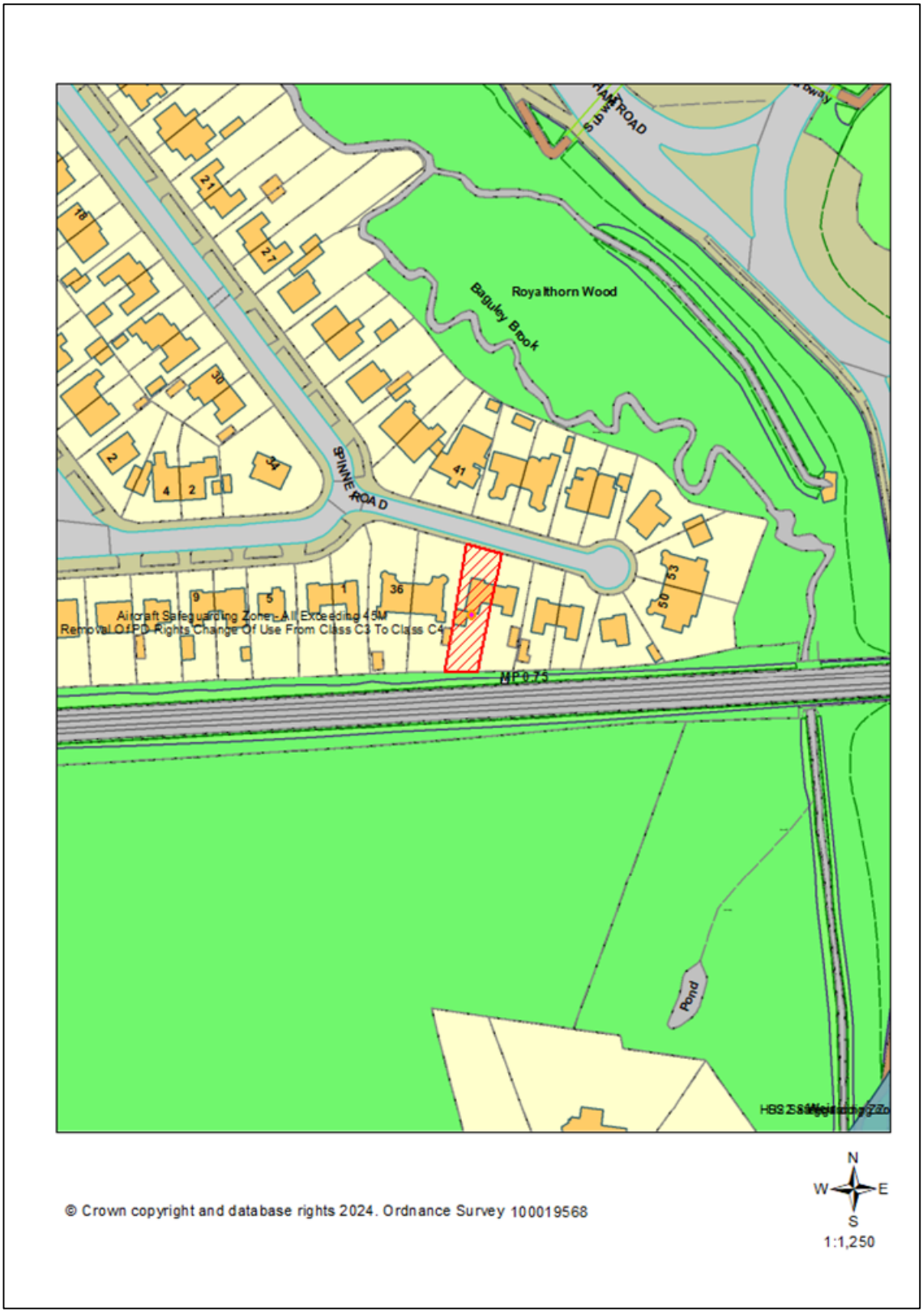
Figure 1. Front elevation



Figure 2. Rear

Description of area

The property is located in a mostly residential part of Manchester's Baguely Ward. The properties rear boundary faces into Network Rail railway.



Description of development

The applicant is proposing the erection of a single storey side extension together with the installation of access ramps to the front and rear of the dwelling.

A downstairs bedroom with WC is to support the disabled applicant, with the remainder of the extensions - an extended kitchen, lounge, dining, and utility rooms enabling family members to move in and provide full-time care on site.

Single storey rear extension

This comes 4.4 metres off the rear elevation of the original outrigger and is sited 2.72 metres off the boundary with the adjoining semi No.42 to the east. It extends west over the footprint of the garage to the boundary with No.38 which is a bungalow sited further back off the building line of the site. The extension has a height of 2.8 metres to a flat roof and proposes both a 2.4-metre high picture window and same height glazed patio doors in the kitchen / dining room. These face the intervening fence with No.42. A glazed door and window are also proposed on the rear elevation serving these rooms and another window for the downstairs bedroom at the front.

Single storey side extension.

The side extension enables the ground floor bedroom with bathroom and a utility room alongside to be accommodated in the curtilage. It has a width of 2.5 metres and height of 2.3 metres to the eaves and 3.2 metres to a hipped roof. This element faces several small windows on the side of No.38 and a similar width gap to the boundary which is used as a parking space.

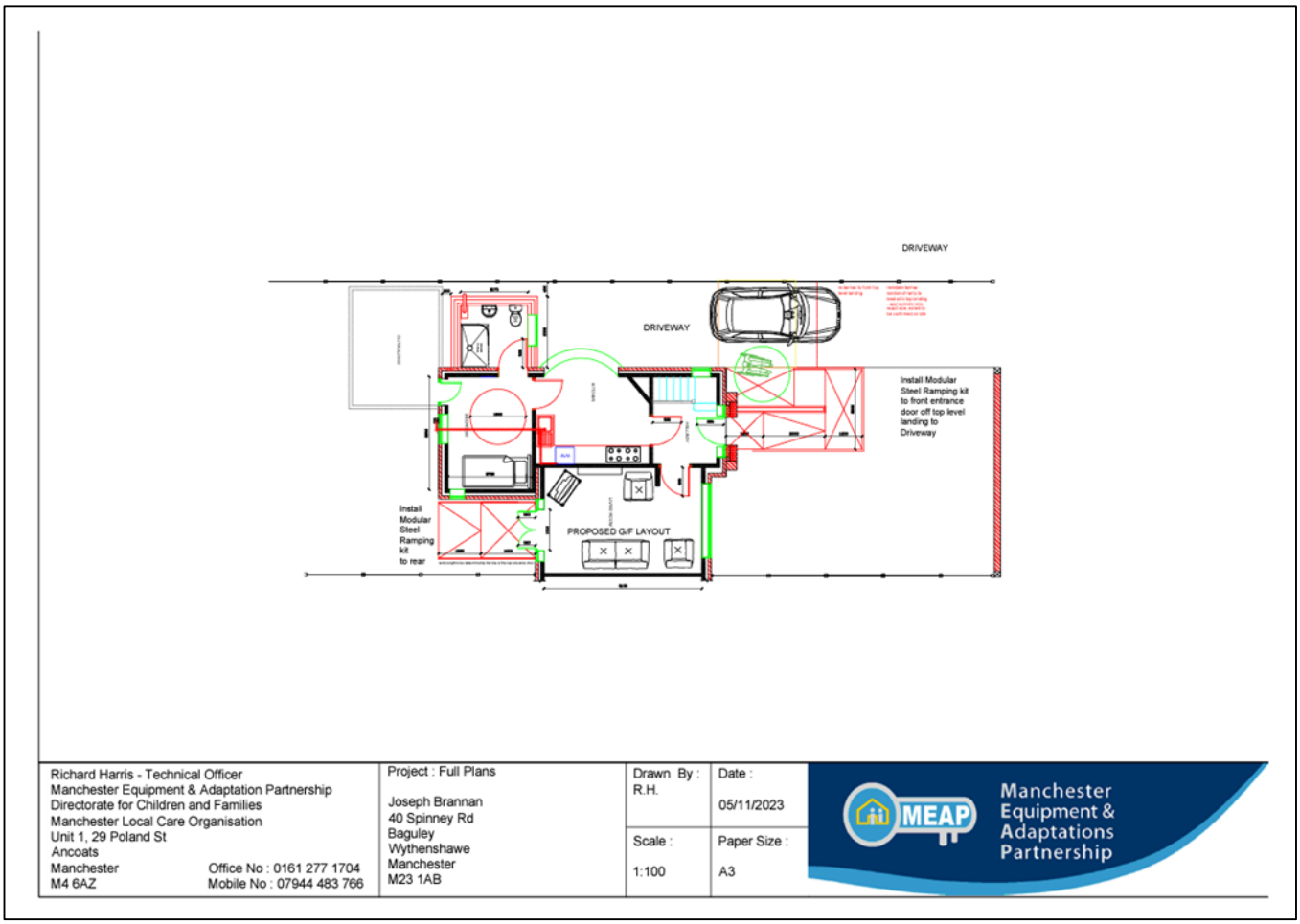


Figure 3. Proposed floor plan

Planning History

131035/FH/2021

Description: Erection of a single storey side and rear extension

Decision: Approved 29/09/2021

Consultations & Notification Responses

Consultations

Network Rail

Due to the proximity of the site to Network Rail infrastructure, Network Rail were consulted.

Development would be in excess of 10 metres from the railway. No specific conditions are required to be appended to any approval. However, the agent has been notified of the guidance issued by Network Rail and their recommendations. These require that the applicant enters into a dialogue with them at an early stage prior to development to ensure that adequate mitigation. is in place to safeguard the authority's assets.

Notifications

Local Residents

As stated in Appendix 1, people who live near the area were told about the proposal.

No one commented, objected, or gave their opinion on this application.

Policies & Principle

Summary of relevant policy

Applications for planning permission must be assessed against the local development plan, unless there are important reasons not to, as stated in planning law.

In considering this application, we consider the following policies relevant.

Local

- The Manchester Core Strategy Development Plan Document 2012-2027 The City Council adopted the core strategy on July 11, 2012. It is the key document in the Manchester Local Plan. The plan determines how Manchester will grow and is used to review development applications. We consider the following Core Strategy Policies relevant to this proposal.
    - DM 1 - Development Management
    - SP 1 - Spatial Principles
    - EN 1 - Design Principles and Strategic Character Areas
    - EN 19 - Waste

- Extant Unitary Development Plan (UDP) - The Core Strategy replaced most of the UDP. However, some UDP Development Control policies are still in effect. The following extant policy are still considered relevant to this proposal.
    - DC1 - Residential Extensions

Regional

- Places for Everyone Plan - The Places for Everyone Plan is a strategic plan for nine of the 10 boroughs in Greater Manchester. Once Manchester adopts the Places for Everyone Plan, it will become part of the city's development plan.

National

- The National Planning Policy Framework (The NPPF) - The Government released the NPPF on March 27, 2012, and updated it on September 5, 2023. Here, you can find the government's planning policies for England. It also explains how to apply them. We consider the following sections relevant to this proposal.
    - Section 4 – Decision-making
    - Section 12 – Achieving well-designed places

Principle of the development

Residents can usually expand their homes for more space, as long as it doesn't affect the neighbourhood or property's character.

The proposal's principle is acceptable. No factors in amenity terms would warrant refusal.

After careful consideration, it is concluded that the proposed development aligns with the Manchester Core Strategy, Extant UDP, and the NPPF. This conclusion is based on the assessment in the sections that follow.

The Manchester Core Strategy Development Plan (2012-2027)

We have assessed the proposal against the following policies of the Core Strategy.

DM 1 – Development Management

New developments must adhere to the 'Development Principles' and design guidance in the Supplementary Planning Documents.

We have assessed the proposal against the following issues.

Appropriate siting, layout, scale, form, massing, materials, and detail

Erection of a single storey side extension together with the installation of access ramps to the front and rear of the dwelling

The new addition is designed to match the style and features of the current building. This includes the windows.

The proposal uses brick to match the existing property (according to the application form). New materials introduced are complementary to the existing colour and texture palette. These are to include EPDM rubber roof covering and powder coating metal ramps.

The ramps to be installed are of a scale, material and design as to be expected of this kind of development.

The proposal is designed to be subservient to the original dwelling house.

Officers consider the new development to be acceptable in its siting, layout, scale, form, massing, materials, and detail.

Impact on the surrounding areas in terms of the design, scale, and appearance of the proposed development. Development should have regard to the character of the surrounding area.

The proposed development won't significantly change the area's character, so its appearance is acceptable.

The proposal is similar in size and scale to others nearby. Therefore, it can fit on the property site and won't disrupt the area's existing features.

The proposal's design would match the nearby properties.

The front ramp is of a size and design which minimises harm to the street scene and the benefit of the ramp install would outweigh any effects to the character of the area.

In general, the proposed development has little impact on the surrounding areas. The design, scale, and appearance are all in line with the development management principle.

Effects on amenity, including privacy, light, noise, vibration, air quality, odours, litter, vermin, birds, road safety and traffic generation.

The proposal adds 1no window in the front of the building. It doesn't affect privacy much because there are other windows to this elevation.

The proposal is expected to have a negligible effect on Air Quality.

The proposal in of itself has a negligible effect on local noise levels. We understand that demolition and construction can be loud and disruptive to the local residents. Contractors should use construction guidance to reduce emissions and minimize disruptions for residents.

The proposal has no effect on road safety and traffic generation.

Overall, the proposal has a negligible impact on privacy, light, noise, air quality, and other factors. So, it follows this principle of development management.

Accessibility: buildings and neighbourhoods fully accessible to disabled people, access to new development by sustainable transport modes.

The proposal would adapt the property to allow a disabled resident to remain in their home and receive care.

The proposal is therefore in accordance with this development management principle.

Adequacy of internal accommodation and external amenity space.

The proposal adds space inside the property with minimal effect to the outdoor area.

This follows the development management principle.

Refuse storage and collection.

The proposal itself has little impact on waste from the site. It uses the current storage and collection methods on site. We recognize that demolition and/or construction works often generate commercial waste. We expect contractors to follow best practices in waste management.

The proposal is in accordance with this development management principle.

Vehicular access and car parking

The proposal doesn't change how vehicles access and park at the property, so it follows the development management principle.

Effects relating to biodiversity, landscape, archaeological or built heritage

The applicant and consultees did not find any contamination or stability issues at the site.

The proposal does not sit within a Conservation Area or near a designated heritage asset.

On balance the proposal has minimal effect on local biodiversity, landscape, archaeological or built heritage and is therefore in accordance with this development management principle.

Green Infrastructure including open space, both public and private

The dwelling benefits from a garden beyond the siting of the proposed development.

The proposal has negligible impact on green infrastructure and balances development with existing green space.

The proposal is therefore in accordance with this development management principle.

Flood risk and drainage.

The site is not located in a flood risk area and therefore does not require a flood statement or assessment.

The proposal has a negligible impact on drainage using the existing drainage on site.

The proposal is therefore in accordance with this development management principle.

SP 1 - Spatial Principles

This policy outlines the guiding spatial principles and core development principles of Manchester City Council.

Most notably the core development principles highlight development should ‘make a positive contribution to neighbourhoods of choice’.

We consider this proposal to accord with the principles of this policy.

EN 1 – Design Principles and Strategic Character Areas

This policy outlines the key design principles for development in Manchester. All development in Manchester will be expected to follow the seven principles of urban design.

This proposal sits within the ‘Wythenshawe Character Area’.

We consider this proposal to accord with the principles of this policy.

EN 19 – Waste

This policy sets out the key principle of waste management in the city. In a district such as Manchester with a significant existing population and a vision for a growing economy and population a key issue is that of ensuring that this does not automatically lead to a proportionate increase in waste arisings.

Existing waste management arrangements would be retained.

We consider this proposal to accord with the principles of this policy.

Extant Unitary Development Plan (UDP)

The Core Strategy replaced most of the UDP, but some UDP policies still apply to this proposal.

DC1 - Residential Extensions

This policy outlines the key issues when considering proposed residential extensions.

We consider this proposal to accord with the principles of this policy.

Places for Everyone Plan

The Places for Everyone Plan is a Joint Development Plan Document, providing a strategic plan and policies, for nine of the 10 boroughs which make up Greater Manchester. Once the Places for Everyone Plan is adopted it will form part of Manchester's development plan.

To date, five consultations have taken place in relation on the Plan. The Examination of Plan, following its submission in February 2022, began in November 2022. Following the completion of the Examination of the Plan, main modifications have now been proposed which will now become the subject of further public consultation.

The City Council's Executive agreed the Main Modification on 4 October 2023 and endorsed an 8-week period of public consultation on the Main Modifications commencing no earlier than 9 October 2023.

Any representations will be forwarded to the Examination team managing the Plan. The Inspectors will consider all representations on the proposed Modifications before finalising the examination report.

Given the stage the Plan has reached, and level of public consultation and scrutiny it has received, the Plan and its policies is now a material planning consideration in the determination of planning applications. The Plan and its policies must therefore be given significant weight in the planning balance.

This proposal is considered to accord with the aspirations of the Places for Everyone Plan.

The National Planning Policy Framework (NPPF)

The National Planning Policy Framework explains the government's planning policies for England. It also explains how to use these policies.

At all stages of the application, we have adhered to and considered the NPPF.

Section 4 - Decision-making

Section 4 of the NPPF outlines how local planning authorities should approach decisions on proposed development in a positive and creative way.

Section 4 of the NPPF has been adhered to and considered at all stages of the proposal.

Section 12 - Achieving well-designed places

Section 12 of the NPPF outlines the need to achieve well-designed places.

We consider this proposal to accord with the principles of the NPPF.

Other Material Considerations

Other material considerations & policy may be relevant to the proposal as follows:

- Guide to Development in Manchester Supplementary Planning Document and Planning Guidance (April 2007)
- Manchester Residential Quality Guide (July 2016) (MRQG)
- Manchester, Salford, and Trafford Strategic Flood Risk Assessment
- Manchester City Council Highways Developer Design Guidance – Sustainable Drainage Systems
- Manchester City Council Planning and Noise Technical Guidance (2022)
- Air Quality & Planning Technical Guidance (2022)
- Planning and Contaminated Land Technical Guidance (2021)
- Greater Manchester Joint Waste Development Plan Document (GMJWDPD)
- Waste Storage and Collection Guidance for New Developments (2017)
- Hot Food Takeaway Supplementary Planning Document (2017)
- Manchester City Council Houses in Multiple Occupation Guidance and Amenity Standards (2020)
- Manual for Streets (2007)
- National design guide & National Model Design Code (2021)
- Outdoor advertisements and signs: a guide for advertisers (2007)

Other Legislative Requirements

Equality Act 2010

Section 149 (Public Sector Equality Duty) of the Equality Act 2010 requires due regard to the need to: Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act and; Advance equality of opportunity between persons who share a protected characteristic and persons who do not share it. The Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. Compliance with the Equality Duty involves consciously thinking about the aims of the Equality Duty as part of the process of decision-making.

Human Rights Act 1998 considerations

This application needs to be considered against the provisions of the Human Rights Act 1998. Under Article 6, the applicants (and those third parties, including local residents, who have made

representations) have a right to a fair hearing and to this end the local planning authority must give full consideration to their comments.

Protocol 1 Article 1, and Article 8 where appropriate, confer(s) a right of respect for a person's home, other land and business assets. In taking account of all material considerations, including Council policy as set out in the Core Strategy and saved polices of the Unitary Development Plan, the Director of Planning, Building Control & Licensing has concluded that some rights conferred by these articles on the applicant(s)/objector(s)/resident(s) and other occupiers and owners of nearby land that might be affected may be interfered with but that that interference is in accordance with the law and justified by being in the public interest and on the basis of the planning merits of the development proposal. She believes that any restriction on these rights posed by the recommendation given is proportionate to the wider benefits of and that such a decision falls within the margin of discretion afforded to the Council under the Town and Country Planning Acts.

Conclusion

We find the proposal's design, size, and appearance acceptable for this location. It won't harm nearby properties or the street's character. There are no other material considerations of enough weight to say otherwise. Due to these reasons, the proposal is not likely to have a negative impact. It aligns with the relevant Core Strategy, Extant UDP, NPPF policies, and other material considerations.

Recommendation: Approve

Article 35 Declaration

Officers have collaborated with the applicant in a positive and proactive manner. We assessed the proposal with regards to policies outlined in the National Planning Policy Framework, Unitary Development Plan Saved Policies, Local Development Framework Core Strategy Development Plan, and other material considerations. No significant problems have arisen during the consideration of this application.

Condition(s) to be attached to decision for approval

1. **3-year time limit**

   The development must be begun not later than the expiration of three years beginning with the date of this permission.

   Reason - Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. **Specified plans**

   The development hereby approved shall be carried out in accordance with the following drawings and documents:

   a. Drawing - Location Plan 07 Dec 2023 THE LOCATION PLAN
   b. Drawing - Location Plan 07 Dec 2023 LOCATION PLAN
   c. Drawing - Existing 07 Dec 2023 FLOOR PLAN
   d. Drawing - Existing 07 Dec 2023 ELEVATIONS
   e. Drawing - Proposed 07 Dec 2023 FOUNDATION AND WALL DETAIL
   f. Drawing - Proposed 07 Dec 2023 FLOOR PLAN
   g. Drawing - Proposed 01 Jan 2024 Proposed Elevations - Revised - 01-02-2024

   Reason - To ensure that the development is carried out in accordance with the approved plans, pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy.

3. **Specified materials**

   The materials to be used on the external surfaces hereby permitted shall match those as specified on the application form in type, size, colour, and texture.

   Reason - To ensure the appearance of the building to be extended is not adversely affected by the materials to be used in the construction of the structure. Pursuant to policies DM 1, SP 1 and EN 1 of the Core Strategy.

4. **Additional glazing restriction**

   Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, (or any order revoking and re-enacting that Order with or without modification), no additional glazing, windows, or doors, other than those shown on the approved plans, shall be inserted at the property unless Planning Permission is specifically granted.

Informative(s) to be attached to the decision for approval

1. **Network Rail – RAMS**

   The developer is to submit directly to Network Rail asset protection, a Risk Assessment and Method Statement (RAMS) for all works to be undertaken within 10m of the operational railway under Construction (Design and Management) Regulations, and this is in addition to any planning consent. Network Rail would need to be re-assured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. Builder to ensure that no dust or debris is allowed to contaminate Network Rail land as the outside party would be liable for any clean-up costs. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer.

Appendix 1 – List of consultees & neighbours notified

Network Rail

45 Spinney Road, Manchester, M23 1AD
43 Spinney Road, Manchester, M23 1AD
42 Spinney Road, Manchester, M23 1AB
41 Spinney Road, Manchester, M23 1AD
38 Spinney Road, Manchester, M23 1AB

Appendix 2 – Planning constraints

Article 4 Direction - Removal Of PD Rights Change Of Use From Class C3 To Class C4

Aircraft Safeguarding Zone - Aircraft Safeguarding Zone - All Exceeding 45M

Area Team Boundary - Name: SOUTH AREA